

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES CLEMENT RUSSELL,
Plaintiff,

vs.

JUDGE KELLEY OLWELL and
OFFICER BENSON,

Defendants.

NO. CV-07-3088-LRS

ORDER DISMISSING PLAINTIFF'S
ACTION

On October 5, 2007, plaintiff James Clement Russell filed a *pro se* Complaint with this Court against Judge Olwell and Officer Benson. (Ct. Rec. 1). Under 28 U.S.C. §1915, district courts are required to screen *pro se* complaints for legal and factual sufficiency. On November 5, 2007, the Court conducted the required screening and determined plaintiff's Complaint failed to comply with Federal Rule of Civil Procedure 8(a). (Ct. Rec. 5). The Court afforded plaintiff an opportunity to file an Amended Complaint that complies with Rule 8(a). *Id.* On December 4, 2007, plaintiff filed an Amended Complaint. (Ct. Rec. 6). Thereafter, the Court screened the Amended Complaint for legal and factual sufficiency as it had done with the original Complaint. Plaintiff's Amended Complaint does not correct the deficiencies of his initial pleading. More specifically, the Amended

1 Complaint does not state grounds upon which the Court's jurisdiction
2 is based, explain why plaintiff is entitled to relief, or make a
3 demand for relief. Id. Because plaintiff has failed to file an
4 amended complaint in compliance with Rule 8(a), the Court hereby
5 dismisses plaintiff's action without prejudice.

6 **IT IS HEREBY ORDERED:** Plaintiff's action is **DISMISSED** without
7 prejudice.

8 **IT IS SO ORDERED.** The District Court Executive is directed to
9 enter this Order, enter judgment accordingly, provide a copy to
10 plaintiff, and **CLOSE THIS FILE.**

11 **DATED** this 26th day of December, 2007.

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13 ***s/Lonny R. Suko***

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LONNY R. SUKO
15 UNITED STATES DISTRICT JUDGE
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